

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
OCTOBER 3, 2017**

ITEM 9

SUBJECT

PROPOSED STATEWIDE GENERAL ORDER FOR DISCHARGES FROM HYDROSTATIC TESTING OF NATURAL GAS PIPELINES AND RELATED ACTIVITIES

DISCUSSION

Natural gas transmission and use are vital to California residents and the state economy. Natural gas companies and their contractors construct, operate, and maintain pipelines and appurtenances for the transmission and distribution of natural gas to industrial, commercial, and residential customers. The companies conduct mandatory inspection and testing to ensure public health and safety. The proposed Order is developed to regulate discharges to surface waters and land from excavation, construction, testing, and repair activities.

Natural gas companies do not always have advance knowledge of which facilities must be tested in a given year. The proposed Order includes a programmatic application process to accommodate the need for regulatory coverage of discharges from projects with unanticipated schedules.

The proposed Order is tailored to the natural gas facility testing programs as follows:

- 1. Programmatic Application Process.** To obtain regulatory coverage under the Order, each natural gas company must submit one application package to the State Water Board. Regulatory coverage for all of the applicant-company's testing and related construction and maintenance activities, as described in the application package, becomes effective through issuance of a Notice of Applicability signed by the Deputy Director of Division of Water Quality.
- 2. Effluent limits for discharges to surface waters.** Discharges to all surface waters (waters of the U.S. and non-federal surface waters of the state) must comply with California Toxic Rule criteria, the Ocean Plan (as applicable), and the corresponding Regional Water Board Basin Plan. Numeric effluent limitations for pollutants that impact aquatic life are set equal to the California Toxic Rule aquatic life criteria to protect aquatic life. Numeric effluent limitations for pollutants that impact human health are set equal to two times the California Toxic Rule human health criteria or maximum contaminated level. The factor of two is based on (1) these discharges being intermittent and of duration much shorter than the exposure period to impact human health and (2) requirements of the State Implementation Plan and California Ocean Plan.

The Order proposes to regulate discharges to non-federal surface waters of the state with the same requirements as discharges to waters of the U.S. This approach provides regulatory consistency for project operators.

3. **Effluent limitations for discharges to land.** For discharges to land, the proposed Order sets: (1) numeric effluent limitations for dissolved oxygen and polychlorinated biphenyls (PCBs), and (2) provisions similar to other statewide waste discharge requirements for non-municipal waste discharges. In addition, the Order requires that no separate phase product (e.g., oily layer or petroleum sheen) shall be present on wastewater to be discharged.
4. **Use of Recycled Water.** The Order authorizes the use of recycled water as source water for hydrostatic testing, dust control, irrigation of restored landscaping, and other authorized uses.
5. **Pre-Discharge Notification.** The proposed Order requires the discharger to provide project-specific and discharge-specific information to the appropriate Regional Water Board, municipal storm water agency (as applicable), and interested Native American tribal representatives. The purpose of the notification is to inform these entities of where and when planned, and possibly unplanned, discharges may be occurring.
6. **California Environmental Quality Act.** To address potential environmental impacts associated with discharges to non-federal surface waters of the state and to land for compliance with the California Environmental Quality Act, the State Water Board approved a mitigated negative declaration.

POLICY ISSUE

Should the State Water Board adopt the proposed General Order to provide natural gas companies with a statewide programmatic permitting process for discharges from natural gas pipeline testing and construction activities?

FISCAL IMPACT

All applications for coverage under the Order will be processed by State Water Board staff, alleviating Regional Water Boards from permitting workload for subject discharges within individual regions.

REGIONAL WATER BOARD IMPACT

The Regional Water Boards maintain the responsibility to enforce the proposed General Order.

STAFF RECOMMENDATION

No Staff recommendation will be made at this time; the Board will receive public comment but not take any action at the hearing.

Adoption of the proposed General Order will assist the Water Boards in reaching Goal 6 of the Strategic Plan Update: 2008-2012 to enhance consistency across the Water Boards, on an ongoing basis, to ensure our processes are effective, efficient, and predictable, and to promote fair and equitable application of laws, regulations, policies, and procedures. In particular, approval of this item will assist in fulfilling Objective 6.2 to target consistency improvements in program delivery identified through past input, and solicit input to identify consistency issues as they arise.